

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b), 1.97(c), or 1.97(d)</b>		<b>Attny. Docket No. 2004U002.US</b>
<b>In Re Application of: Timothy T. Wenzel</b>		
<b>U.S. Serial No. Unassigned</b>	<b>Filing Date February 17, 2004</b>	<b>Examiner Unassigned</b>
		<b>Group Art Unit Unassigned</b>

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**37 CFR § 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

**37 CFR § 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of:
1. a Final Action under § 1.113,
  2. a Notice of Allowance under § 1.311, or
  3. an action that otherwise closes prosecution in the application,

and is accompanied by either:

- the fee as set forth in § 1.17(p), or  
 the following statement under § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

**37 CFR § 1.97(d)**

- The Information Disclosure Statement submitted herewith is being filed after a Final Action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, but before, or simultaneously with, the payment of the issue fee. Submitted herewith is the fee as set forth in § 1.17(p) and the following statement under 37 CFR § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Applicant hereby request consideration of the Information Disclosure Statement, USPTO form 1449, submitted herewith.

Legible copies of the references are enclosed.

This application is a:

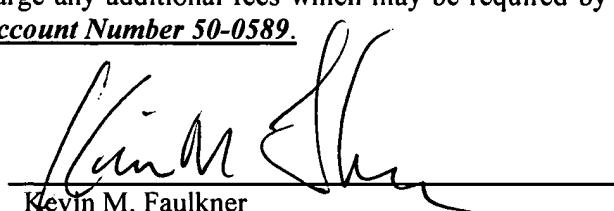
- Continuation / Divisional,
- Continuation-in-Part,

of U.S.S.N. \_\_\_\_\_ Copies of the cited references are  
 enclosed;  not enclosed. References are available in the parent application(s) if not enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account Number 50-0589.

Date

2/17/04



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PTO/SB/08a (08-03)

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Submission Date	February 17, 2004
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### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A1		US-5,318,935	06-07-1994	Canich et al.	
A2		US-5,506,184	04-09-1996	Kissin et al.	
A3		US-6,265,505 B1	07-24-2001	McConville et al.	
A4		US-6,271,323 B1	08-07-2001	Loveday et al.	
A5		US-6,271,325 B1	08-07-2001	McConville et al.	
A6		US-6,274,684 B1	08-14-2001	Loveday et al.	
A7		US-6,300,439 B1	10-09-2001	McConville	
A8		US-6,372,868 B1	04-16-2002	Szul et al.	
A9		US-6,417,304 B1	07-09-2002	McConville et al.	
A10		US-2002/0032287 A1	03-14-2002	McCullough	
A11		US-			
A12		US-			
A13		US-			
A14		US-			
A15		US-			
A16		US-			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Number-Kind Code <sup>2</sup> (if known)				
B1		EP 0 893 454 A1	01-27-1999	Imuta et al.		
B2		WO 02/40550 A2	05-23-2002	Kao et al.		
B3		WO 02/46248 A2	06-13-2002	Peterson et al.		
B4		WO 02/50088 A1	06-27-2002	McConville et al.		
B5		WO 02/50127 A2	06-27-2002	Sachs		
B6		WO 02/59160 A2	08-01-2002	Peterson		

Examiner	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.